

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ANTHONY MARANO COMPANY

Plaintiff

v.

MS-GRAND BRIDGEVIEW, INC.,  
an Illinois corporation, d/b/a  
MELROSE FRESH MARKET,  
PETER LIMPERIS, and MAKIS LIMPERIS

Defendants

Case No. 08CV4244  
Judge Zagel  
Magistrate Judge Brown

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JACK TUCHTEN WHOLESALE PRODUCE, INC.

Intervening Plaintiff

v.

MS-GRAND BRIDGEVIEW, INC.,  
an Illinois corporation, d/b/a  
MELROSE FRESH MARKET,  
PETER LIMPERIS, and MAKIS LIMPERIS

Defendants.

**AFFIDAVIT OF ZARKO IVETIC IN SUPPORT OF  
MOTION FOR PRELIMINARY INJUNCTION ORDER**

STATE OF ILLINOIS :

COUNTY OF COOK :

Zarko Ivetic, being duly sworn, deposes and says:

1. I am a salesman at Jack Tuchten Wholesale Produce, Inc.  
("Tuchten") and have been employed by Tuchten as such at all relevant times  
pertinent to this proceeding. I am the salesman responsible for the sales of

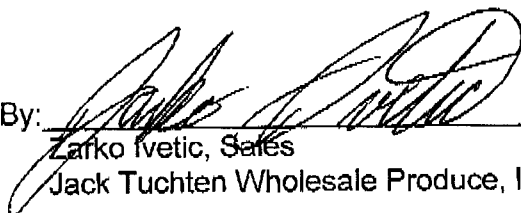
produce to Defendant, MS-Grand Bridgeview, Inc. d/b/a Melrose Fresh Market ("Melrose") at issue in this proceeding.

2. I make this Affidavit in Support of Intervening Plaintiff's Motion for Preliminary Injunction Order. I am personally familiar with the sales which are the subject of this proceeding and the facts set forth in this affidavit are within my personal knowledge. If called upon as a witness, I would and could competently testify to all facts stated in this affidavit.

3. I have talked to Paul Brizilakis, purchasing agent for Defendant Melrose about the outstanding account of Melrose on several occasions, with the most recent conversation occurring last week. Mr. Brizilakis has never disputed the amount due and owing to Tuchten from Defendant Melrose, but advised that Melrose is experiencing severe cash flow problems and cannot pay the balance due to Tuchten.

I declare the above statements to be true and correct under penalty of perjury as set forth in 28 U.S.C. §1746 and the laws of the State of Illinois.

Executed this 3<sup>RD</sup> day of SEPTEMBER, 2008 at  
Chicago, Illinois.

By:   
Zarko Ivetic, Sales  
Jack Tuchten Wholesale Produce, Inc.